

ADVANCE DIRECTIVE FOR HEALTH CARE

1. What is an Advance Directive for Health Care?

An Advance Directive for Health Care is a form authorized by Oregon Law which allows you to name someone else to make health care decisions for you when you are no longer able to make these decisions for yourself. The Advance Directive also allows you to make your wishes known as to what kind of health care you want and don't want.

2. How do I name someone to make health care decisions for me?

Part B of the Advance Directive Form, called Appointment of Health Care Representative, lets you name a first and second choice to make health care decisions for you. You should choose representatives you trust to make decisions for you when you can't do so yourself. You may not appoint your doctor or the operator of a health care facility as your representative, unless they are related to you. Your representatives must sign Part E of the form agreeing to act as your representative.

3. When does my Advance Directive take effect, and how long does it continue in effect?

You can sign an Advance Directive at any time. It will not take effect until such time as you are no longer able to make your own decisions. Your Advance Directive can continue in effect indefinitely unless you say otherwise when you first sign it. And, you can revoke an Advance Directive you have signed at any time, or sign a new one to replace an old one.

4. What decisions can my health care representative make for me?

Your health care representative can make most health care decisions for you, with a few exceptions, such as decisions about mercy killing and mental health treatment (there is a separate form for mental health decisions called Declaration for Mental Health Treatment). Your representative can make decisions about life support treatments and about tube feeding if you specifically authorize him/her to do so in Part B of the form.

5. How can I make known my health care wishes?

In Part B and especially in Part C of the form you can include any special wishes or instructions you have. Part C of the form, called Health Care Instructions, allows you to make a series of choices about life support and tube feeding when you are faced with certain medical conditions.

6. How do I complete the Advance Directive form?

The form is in separate parts, and you can complete only part B naming a Health Care Representative, or only Part C expressing your Health Care Instructions, or you can complete both parts. You must sign each part separately. And, you must have the form witnessed by two persons, who sign Part D, Declaration of Witnesses. The witnesses can not be your physician or your Health Care Representatives, and one of the witnesses can not be a relative or heir or an owner, operator, employee of a health facility where you reside. If you do reside in a health care facility, one of the witnesses must be a person designated specifically to witness Advance Directives.

7. If I signed one of the earlier health care forms, are they still in effect?

The law establishing the Advance Directive form became effective November 4, 1993. If, before this date, you signed one of the earlier forms, either the Directive to Physicians or the Health Care Power of Attorney, these earlier forms may still be in effect. Even if you did sign one of the earlier forms, it is recommended that you now complete the Advance Directive. The Advance Directive is more comprehensive than the Directive to Physicians form, which only applies in the case of a terminal illness. And, the Health Care Power of Attorney form is only valid for 7 years unless you become incapable before it expires.

8. Where can I get an Advance Directive form?

Forms may be available at health care facilities, or at office supply stores, and your doctor or lawyer may be able to provide a form to you. Also, there is a private non-profit organization called Oregon Health Care Decisions which makes the forms available at a nominal charge. You can contact this organization at 1-800-422-4805, website: <http://www.oregonhealthdecisions.org>, for forms and other information about Advance Directives.

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